

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 23

November 29, 2018

SUBJECT: DISCIPLINARY PROCEDURES – PART-TIME CIVILIAN EMPLOYEES (MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18) – ESTABLISHED; NOTICE OF TERMINATION OF PART-TIME EMPLOYMENT (MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18), FORM 15.02.04 – ACTIVATED; AND, TERMINATION REVIEW REQUEST PART-TIME CIVILIAN EMPLOYEES (MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18) – ACTIVATED

PURPOSE: This Order adds Section 3/871, *Disciplinary Procedures – Part-Time Civilian Employees (Memorandum of Understanding No. 3 and No. 18)*, to the Department Manual, in accordance with Civilian Memorandum of Understanding No. 3 and No. 18. This Order also activates the Notice of Termination of Part-Time Employment (Memorandum No. 3 and No. 18), Form 15.02.04, and the Termination Review Request Part-Time Civilian Employees (Memorandum No. 3 and No. 18), Form 15.94.00.

PROCEDURE:

- I. DISCIPLINARY PROCEDURES – PART-TIME CIVILIAN EMPLOYEES (MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18) – ESTABLISHED.** *Department Manual Section 3/871, Disciplinary Procedures – Part-Time Civilian Employees (Memorandum of Understanding No. 3 and No. 18)*, has been established and is attached.
- II. NOTICE OF TERMINATION OF PART-TIME EMPLOYMENT, FORM 15.02.04 (MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18) – ACTIVATED.** The Notice of Termination of Part-Time Employment (Memorandum of Understanding No. 3 and No. 18), Form 15.02.04, has been activated and is attached.
 - A. Use of form.** This form shall be used by Area/divisional commanding officers in order to provide notice of termination to part-time employees.
 - B. Completion.** The completion of this form is self-explanatory. A copy shall be served to the effected employee.
 - C. Distribution.**
 - 1 – Original, Area of occurrence.
 - 1 – Copy, Employee.
 - 2 – TOTAL

III. TERMINATION REVIEW REQUEST PART-TIME CIVILIAN EMPLOYEES (MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18), FORM 15.94.00 – ACTIVATED. The Termination Review Request Part-Time Civilian Employees (Memorandum of Understanding No. 3 and No. 18), Form 15.94.00, has been activated and is attached.

A. Use of form. This form shall be used by part-time Department employees requesting a review of their termination.

B. Completion. The part-time Department employee shall complete the form and hand deliver it to Personnel Division within five business days of receiving and signing a Notice of Termination of Part-Time Employment (Memorandum of Understanding No. 3 and No. 18).

C. Distribution.

- 1 – Original, Personnel Division.
- 1 – Copy, Employee.
- 2 – TOTAL**

FORM AVAILABILITY: The Notice of Termination of Part-Time Employment (Memorandum of Understanding No. 3 and No. 18) and the Termination Review Request Part-Time Civilian Employees (Memorandum of Understanding No. 3 and No. 18) forms, are accessible in E-Forms on the Department's Local Area Network (LAN), and are attached for immediate use and duplication.

AMENDMENT: This Order adds Section 3/871 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 23, 2018**

**871. DISCIPLINARY PROCEDURES – PART-TIME CIVILIAN EMPLOYEES
(MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18)**

NOTE: *This section only applies to part-time civilian employees that fall under Memorandum of Understanding (MOU) No. 3 and No. 18.*

Definition. *Effective December 13, 2015, this section shall pertain to an intermittent part-time or Civil Service-exempt half-time employee who has worked at least 2,000 cumulative hours from his or her initial hire date, who is subject to discipline.*

Adjudication of Disciplinary Actions.

Commanding Officer's Responsibilities. *The commanding officer shall:*

- *Serve the part-time civilian employee with a written description of the action(s) to be taken and the expected effective date(s). This description shall include a statement of the specific grounds in which the disciplinary action is based, and a statement informing the employee of his or her right to appeal the disciplinary decision within five business days to an advisory Hearing Officer. This information shall be documented on a Notice of Termination of Part-Time Employment (Memorandum of Understanding No. 3 and No. 18), Form 15.02.04;*
- *Serve the part-time civilian employee with a Termination Review Request Part-Time Civilian Employees (Memorandum of Understanding No. 3 and No. 18), Form 15.94.00; and,*
- *Serve the part-time civilian employee with a copy of the materials upon which the action is based, if applicable.*

Note: *The Hearing Officer shall be appointed from the approved Hearing Officer's List maintained and developed by the City and Unions.*

Administrative Appeal. *When a part-time civilian employee appeals a disciplinary action the employee shall have the right to a hearing before the designated Hearing Officer. If a hearing is requested, the employee shall complete a Termination Review Request Part-Time Civilian Employees (Memorandum of Understanding No. 3 and No. 18), and deliver it to Personnel Division. Upon receipt, Personnel Division will make a notification to Employee Relations Group, who will initiate the administrative appeal process. The hearing shall be scheduled within five business days of the notice of appeal filed by the employee, unless another date is mutually agreed upon by the Department and employee, which can be beyond the 5 business days. The following conditions shall apply:*

- *The hearings shall take no more than four hours, which the Hearing Officer will divide as equally as possible between the parties;*

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- *The Hearing Officer shall determine if the discipline or level of discipline is reasonable based on a good faith conclusion that the employee engaged in misconduct and shall issue a written decision the same day, which shall be advisory to the Department Head (Chief of Police), whose decision shall be final; and,*
- *The cost of the Hearing Officer shall be shared equally by the Union and the City.*

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



ERIC GARCETTI
Mayor

P.O. Box 30158
Los Angeles, CA 90030
Telephone: (213)
TDD: (877) 275-5273
Ref #:

DATE:

TO: SECURITY OFFICER JOHN DOE, SERIAL NO. N0000

FROM: THE LOS ANGELES POLICE DEPARTMENT

SUBJECT: NOTICE OF TERMINATION OF PART-TIME EMPLOYMENT
(MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18)

Termination effective: _____

Reason for termination: _____

As an employee represented in Memorandum of Understanding No. 3, or Memorandum of Understanding No. 18, your union is the All City Employees Association (ACEA), Local 3090, AFSCME, AFL-CIO. The telephone number for ACEA is (213) 487-9887; or, for Service Employees International Union Local 721 (SEIU), the telephone number is (213) 368-8660.

If you wish to have your termination reviewed by an Advisory Hearing Officer, you must complete the attached Termination Review Request, Form 15.94.00 and deliver it in person, during normal business hours, to Personnel Division, 100 W. First Street, Room 228, Los Angeles, within five business days of receiving and signing this notice. You will need to have proof of identity (e.g., a valid California Driver's License) when you deliver your completed Termination Review Request.

If materials were considered in reaching the decision to terminate your part-time employment, you will find a copy of the material attached to this notice.

By signing below, you confirm having received a copy of this notice and attachment(s).

Employee Signature

Date

Printed Name of Person Who Served Notice

Signature of Person Who Served Notice

☐ Attachment(s)

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www.joinLAPD.com

Form 15.02.04 (10/18)

LOS ANGELES POLICE DEPARTMENT

TERMINATION REVIEW REQUEST

PART-TIME CIVILIAN EMPLOYEES

(MEMORANDUM OF UNDERSTANDING NO. 3 AND NO. 18)

I, _____ [employee name (print)], hereby request that my termination be reviewed by an Advisory Hearing Officer.

Submission instructions:

1. Deliver in person to Personnel Division, 100 W. First Street, Room 228, Los Angeles, within five business days of receiving and signing a Notice of Termination of Part-Time Employment, Form 15.02.04.
2. Bring valid identification (e.g., valid driver's license).

Employee Signature

Date

Name of Person Receiving (print name)

Date Received

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